

REMARKS/ARGUMENTS

The Examiner is requiring restriction to one of the following groups:

Group I: Claims 1-9, 15-16, 19-61, drawn to a peptide of the Sequence (I),  
classified in class 514, subclass 2;

Group II: Claim 10, drawn to a method of using synthetic means of preparing  
the peptide, classified in class 530, subclass 344;

Group III: Claims 11-14, drawn to recombinant means of preparing a peptide,  
classified in class 435, subclass 69.1;

Group IV: Claim 17, drawn to method of covering a biomaterial, classified in  
class 514, subclass 2+; and

Group V: Claim 17, drawn to method for producing a filter for trapping  
activated blood cells, classified in class 514, subclass 2+.

Applicants provisionally elect Group I, Claims 1-9, 15-16, and 19-61, drawn to a  
peptide of the Sequence (I), with traverse on the grounds that no adequate reasons and/or  
examples have been provided to support a conclusion of patentable distinctiveness between  
the identified groups.

Moreover, the MPEP at § 803 states as follows:

“If the search and examination of an entire application can be  
made without a serious burden, the Examiner must examine it  
on its merits, even though it includes claims to distinct or  
independent inventions.”

Applicants respectfully submit that a search of all of the claims would not impose a  
serious burden on the Office.

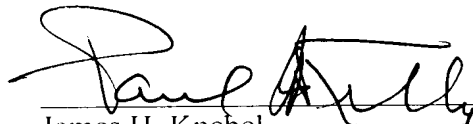
Additionally, Applicants elect as species the peptide of Claims 1-9. If a further  
election is required, Applicants designate a peptide of **SEQ ID NO:1**.

Accordingly, and for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

  
James H. Knebel  
Registration No. 22,630

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413-2220  
(OSMMN 06/04)

**Paul J. Killos**  
**Registration No 58,014**